

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

In re:

The Diocese of Rochester,

Debtor.

Chapter 11

Case No. 19-20905 (PRW)

NOTICE OF FILING

PLEASE TAKE NOTICE that, in accordance with the *Administrative Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals and Members of Official Committees* [Docket No. 318] and the *Supplement and Modification to Administrative Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals and Members of Official Committees* [Docket No. 545], Burns Bair LLP has filed the *Monthly Fee Statement of Burns Bair LLP for Compensation for Services Rendered and Reimbursement of Expenses as Special Insurance Counsel to the Official Committee of Unsecured Creditors of the Diocese of Rochester for the Period May 1, 2023 through May 31, 2023*, a copy of which is attached hereto and hereby served upon you. In addition, Burns Bair LLP has provided the United States Trustee with a copy of its invoice in text format.

Dated: June 21, 2023

BURNS BAIR LLP

/s/ Timothy W. Burns

Timothy W. Burns (admitted *pro hac vice*)

Jesse J. Bair (admitted *pro hac vice*)

10 E. Doty St., Suite 600

Madison, WI 53703-3392

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*Special Insurance Counsel to the Official Committee
of Unsecured Creditors of the Diocese of Rochester*

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

In re:

The Diocese of Rochester,

Debtor.

Case No. 19-20905

Chapter 11

**MONTHLY FEE STATEMENT OF BURNS BAIR LLP FOR COMPENSATION FOR
SERVICES RENDERED AND REIMBURSEMENT OF EXPENSES AS SPECIAL
INSURANCE COUNSEL TO THE OFFICIAL COMMITTEE OF UNSECURED
CREDITORS OF THE DIOCESE OF ROCHESTER FOR THE PERIOD
MAY 1, 2023 THROUGH MAY 31, 2023**

Name of Applicant:	<u>Burns Bair LLP</u>
Authorized to Provide Professional Services to:	<u>Official Committee of Unsecured Creditors of the Diocese of Rochester</u>
Date of Retention:	<u>Effective May 26, 2021 pursuant to Order entered June 22, 2021 [Docket No. 1113]</u>
Period for which compensation and reimbursement is sought:	<u>May 1, 2023 through May 31, 2023</u>
Amount of compensation sought as actual, reasonable, and necessary:	<u>80% of \$16,598.50 (\$13,278.80)</u>
Amount of expense reimbursement sought as actual, reasonable, and necessary:	<u>\$55.67</u>

This is a: X monthly ___ quarterly ___ final application.

This is Burns Bair LLP's twenty-fourth monthly fee statement in this case.

Burns | Bair

10 E. Doty St., Suite 600
Madison, Wisconsin 53703-3392
608-286-2302
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**Official Committee of Unsecured Creditors of
The Diocese of Rochester, New York**

Issue Date : 6/21/2023

Bill # : 01149

Matter: Insurance

PROFESSIONAL SERVICES RENDERED

<u>Date</u>	<u>Timekeeper</u>	<u>Narrative</u>	<u>Hours</u>	<u>Amount</u>
5/1/2023	Jesse Bair	Participate in conference with T. Burns re going-forward insurance strategy (.1);	0.10	\$62.50
5/1/2023	Jesse Bair	Review correspondence from I. Scharf re Interstate mediation status (.1); participate in conference with T. Burns re same and strategy for Interstate mediation (.2);	0.30	\$187.50
5/1/2023	Jesse Bair	Analyze CNA's claim objection reply brief (.4); conference with T. Burns re same and potential insurance responses in connection with same (.2);	0.60	\$375.00
5/1/2023	Jesse Bair	Participate in state court counsel meeting for insurance purposes re mediation and settlement issues (1.0);	1.00	\$625.00
5/1/2023	Jesse Bair	Provide instructions to B. Cawley re additional analysis needed re stipulated judgment process under New York law (.1);	0.10	\$62.50
5/1/2023	Jesse Bair	Review current draft of the Plan re stipulated judgment process issues (.2);	0.20	\$125.00
5/1/2023	Jesse Bair	Participate in conference with T. Burns re stipulated judgment strategy (.1);	0.10	\$62.50
5/1/2023	Jesse Bair	Participate in additional conference with T. Burns re CNA's claim objection standing from an insurance perspective and potential response re same (.3); review T. Burns email memorandum to I. Scharf re same (.1);	0.40	\$250.00
5/1/2023	Jesse Bair	Participate in BB team conference re case developments and projects (.1);	0.10	\$62.50
5/1/2023	Nathan Kuenzi	Participate in BB team conference re case developments and projects (.1);	0.10	\$42.00

5/1/2023	Timothy Burns	Conference with J. Bair re case insurance strategy (.1); met with internal team re case assignments and strategy (.1); reviewed I. Scharf email re Interstate insurance strategy (.1) conference with J. Bair re same (.2); call with I. Scharf re mediation issues (.2); call with J. Bair re stipulated judgment issues (.1); met with J. Bair re CNA's reply brief (.2); reviewed CNA's reply brief re claims objection motion (.7); participate in additional conference with J. Bair re CNA's claim objection standing from an insurance perspective and potential response re same (.3); prepared email to file re argument against CNA's position (.2); participate in state court counsel meeting for insurance purposes re settlement and litigation strategy (1.0); email to I. Scharf re bankruptcy standing argument (.2);	3.40	\$2,380.00
5/1/2023	Alyssa Turgeon	Participate in BB team conference re case developments and projects (.1);	0.10	\$36.00
5/1/2023	Brian Cawley	Research New York law re arms' length negotiation and reasonableness requirements for stipulated judgments (1.8);	1.80	\$756.00
5/2/2023	Timothy Burns	Prepare for state court counsel meeting (.1); participate in state court counsel meeting for insurance purposes re mediation, settlement, and litigation strategy and next-steps (1.3);	1.40	\$980.00
5/2/2023	Jesse Bair	Review I. Scharf correspondence re disclosure statement and mediation update (.1);	0.10	\$62.50
5/2/2023	Jesse Bair	Prepare for state court counsel meeting (.1); participate in state court counsel meeting for insurance purposes re mediation, settlement, and litigation strategy and next-steps (1.3);	1.40	\$875.00
5/3/2023	Jesse Bair	Review I. Scharf correspondence re case developments and CNA claim objection update (.1);	0.10	\$62.50
5/3/2023	Jesse Bair	Participate in call with state court counsel and T. Burns re insurance mediation strategy (.1);	0.10	\$62.50
5/3/2023	Jesse Bair	Prepare for Committee meeting (.1); participate in Committee meeting for insurance purposes re case developments, mediation, and potential settlement strategy (1.0);	1.10	\$687.50
5/4/2023	Jesse Bair	Review state court counsel's Rule 2019 letter to the Court (.1); review CNA's 2019 letter responding to same (.1);	0.20	\$125.00
5/4/2023	Jesse Bair	Review correspondence from I. Scharf and state court counsel re Interstate mediation developments (.1);	0.10	\$62.50
5/5/2023	Jesse Bair	Participate in call with state court counsel re upcoming meeting with the mediators (.1);	0.10	\$62.50
5/5/2023	Jesse Bair	Participate in meeting with the mediators, state court counsel, and PSZJ re potential Interstate mediation and related settlement issues (.8);	0.80	\$500.00

5/5/2023	Jesse Bair	Correspondence with T. Burns re outcome of call with the mediators and next-steps re Interstate mediation (.2); participate in call with T. Burns re same (.1);	0.30	\$187.50
5/5/2023	Timothy Burns	Review and consider correspondence with J. Bair re outcome of call with the mediators and next-steps re Interstate mediation (.2); participate in call with J. Bair re same (.1);	0.30	\$210.00
5/6/2023	Jesse Bair	Review correspondence with the mediators and Interstate re upcoming Interstate mediation session (.1);	0.10	\$62.50
5/7/2023	Jesse Bair	Review additional correspondence with Interstate, the Diocese, and the mediators re upcoming Interstate mediation session (.1);	0.10	\$62.50
5/8/2023	Alyssa Turgeon	Participate in BB team conference re case developments and projects (.1);	0.10	\$36.00
5/8/2023	Brian Cawley	Participate in BB team conference re case developments and projects (.1);	0.10	\$42.00
5/8/2023	Timothy Burns	Conference with J. Bair re insurance mediation strategy (.1); participate in BB team meeting re case developments and assignments (.1); participate in calls with state court counsel re insurance mediation issues (.2); participate in call with J. Bair re stipulated judgment strategy (.2); participate in call with I. Scharf and J. Bair re same (.4); participate in state court counsel meeting re insurance mediation and litigation strategy (.4); reviewed case management order authorizing additional mediations (.1);	1.50	\$1,050.00
5/8/2023	Leakhena Au	Participate in BB team conference re case developments and projects (.1);	0.10	\$42.00
5/8/2023	Nathan Kuenzi	Participate in BB team conference re case developments and projects (.1);	0.10	\$42.00
5/8/2023	Jesse Bair	Participate in conference with T. Burns re insurance mediation strategy (.1);	0.10	\$62.50
5/8/2023	Jesse Bair	Participate in BB team meeting re case developments and related assignments (.1);	0.10	\$62.50
5/8/2023	Jesse Bair	Prepare for call with I. Scharf re stipulated judgment issues (.1); participate in call with I. Scharf and T. Burns re same (.4);	0.50	\$312.50
5/8/2023	Jesse Bair	Review case management order authorizing additional mediation sessions (.1);	0.10	\$62.50
5/8/2023	Jesse Bair	Participate in state court counsel meeting re insurance mediation and litigation strategy (.4);	0.40	\$250.00
5/8/2023	Jesse Bair	Participate in call with T Burns re stipulated judgment strategy (.2);	0.20	\$125.00
5/9/2023	Jesse Bair	Review correspondence with the Diocese and mediator re Interstate mediation details (.1);	0.10	\$62.50
5/9/2023	Jesse Bair	Participate in conference with T. Burns re case insurance strategy and next-steps (.2);	0.20	\$125.00
5/9/2023	Timothy Burns	Participate in call with state court counsel re mediation developments (.2); participate in conference with J. Bair re case insurance strategy and next-steps (.2);	0.40	\$280.00

5/10/2023	Jesse Bair	Review I. Scharf correspondence re CNA request for mediation (.1);	0.10	\$62.50
5/10/2023	Jesse Bair	Participate in conference with state court counsel and I. Scharf re CNA's request for mediation and potential next-steps re same (.5); correspondence with T. Burns re outcome of same (.1);	0.60	\$375.00
5/11/2023	Jesse Bair	Review I. Scharf correspondence re case mediation developments (.1);	0.10	\$62.50
5/11/2023	Jesse Bair	Participate in conference with T. Burns re Interstate and CNA mediation strategy (.1);	0.10	\$62.50
5/12/2023	Timothy Burns	Review correspondence with I. Scharf re upcoming insurance mediations (.1); review correspondence with J. Bair re state court counsel meeting (.1);	0.20	\$140.00
5/15/2023	Timothy Burns	Participate in conferences with J. Bair re insurance settlement and litigation strategy (.3); participate in call with state court counsel and J. Bair re mediation and settlement strategy (.1); review I. Scharf correspondence re CNA mediation update (.1); review and consider the court's recent mediation orders (.2); participate in state court counsel meeting for insurance purposes re mediation strategy (.4);	1.10	\$770.00
5/15/2023	Jesse Bair	Participate in conferences with T. Burns re insurance settlement and litigation strategy (.3);	0.30	\$187.50
5/15/2023	Jesse Bair	Participate in call with T. Burns and state court counsel re mediation and settlement strategy (.1);	0.10	\$62.50
5/15/2023	Jesse Bair	Review supplemental case management order re CNA mediation (.1);	0.10	\$62.50
5/15/2023	Jesse Bair	Participate in state court counsel meeting for insurance purposes re mediation strategy (.4);	0.40	\$250.00
5/15/2023	Jesse Bair	Review I. Scharf correspondence re CNA mediation update (.1);	0.10	\$62.50
5/15/2023	Jesse Bair	Correspondence with I. Scharf and state court counsel re stipulated judgment process (.1);	0.10	\$62.50
5/15/2023	Jesse Bair	Analysis re preparations needed in advance of upcoming insurance mediations (.1);	0.10	\$62.50
5/16/2023	Jesse Bair	Review I. Scharf correspondence re Interstate negotiations (.1);	0.10	\$62.50
5/16/2023	Timothy Burns	Review correspondence with I. Scharf re Interstate negotiations (.1);	0.10	\$70.00
5/17/2023	Jesse Bair	Review draft stipulations of dismissal for LMI and Underwriters (.1); correspondence with I. Scharf re same (.1);	0.20	\$125.00
5/17/2023	Jesse Bair	Participate in portion of Committee meeting for insurance purposes re mediation and litigation issues (.9);	0.90	\$562.50
5/19/2023	Jesse Bair	Review case management order adjourning CNA's motions to compel (.1);	0.10	\$62.50

5/19/2023	Jesse Bair	Review and respond to correspondence with LMI re LMI and Underwriters' request for dismissal from the insurance adversary proceeding (.2); review draft tolling agreements with LMI and Underwriters (.2); conference with T. Burns re same (.2); additional correspondence with LMI and the Debtor re same and dismissal of LMI and Underwriters without prejudice (.1);	0.70	\$437.50
5/19/2023	Timothy Burns	Review correspondence with LMI and J. Bair re draft tolling and dismissal stipulations re LMI and Underwriters; (.2) conference with J. Bair re same (.2);	0.40	\$280.00
5/22/2023	Jesse Bair	Review final versions of stipulations of dismissal of LMI and Underwriters and related correspondence (.2);	0.20	\$125.00
5/22/2023	Timothy Burns	Review stipulations of dismissal of LMI and Underwriters and related emails (.2);	0.20	\$140.00
5/23/2023	Timothy Burns	Review correspondence with the mediator re upcoming mediation (.1); review correspondence with I. Nasatir re First State negotiations (.1); review Rule 2019 order (.1);	0.30	\$210.00
5/23/2023	Jesse Bair	Review correspondence from the mediators re upcoming Interstate mediation (.1);	0.10	\$62.50
5/23/2023	Jesse Bair	Review CNA's letter and proposed Order re its Rule 2019 motion (.1);	0.10	\$62.50
5/24/2023	Jesse Bair	Correspondence with I. Scharf re Interstate mediation session (.1);	0.10	\$62.50
5/24/2023	Jesse Bair	Analyze First State counter (.1); correspond with I. Nasatir re potential response to same (.1);	0.20	\$125.00
5/24/2023	Timothy Burns	Review correspondence with J. Bair re upcoming Interstate mediation session (.1);	0.10	\$70.00
5/25/2023	Jesse Bair	Review correspondence from the Debtor re upcoming Interstate mediation (.1);	0.10	\$62.50
5/26/2023	Timothy Burns	Additional analysis re insurance strategy for upcoming mediation session (.2); correspondence with the Diocese re upcoming mediation (.1);	0.30	\$210.00
5/31/2023	Jesse Bair	Review correspondence with B. Michael re Committee meeting (.1);	0.10	\$62.50
Total Hours and Fees			26.20	\$16,598.50

EXPENSES

<u>Date</u>	<u>Description</u>	<u>Amount</u>
5/2/2023	Postage	\$4.35
5/5/2023	CloudNine, database monthly hosting fee (April 2023)	\$46.97
5/30/2023	Postage	\$4.35
Total Expenses		\$55.67

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Alyssa Turgeon	0.20	\$360.00	\$72.00

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Brian Cawley	1.90	\$420.00	\$798.00
Jesse Bair	14.10	\$625.00	\$8,812.50
Leakhena Au	0.10	\$420.00	\$42.00
Nathan Kuenzi	0.20	\$420.00	\$84.00
Timothy Burns	9.70	\$700.00	\$6,790.00

Total Due This Invoice: \$16,654.17